

**Dickinson County Board of Supervisors
September 24, 2013**

9:30 A.M. Present are Supervisors Paul Johnson, Mardi Allen, Pam Jordan, Bill Leupold, Vice-Chairperson. Supervisor David Gottsche present telephonically.

Pledge of allegiance to the flag was recited by those present.

Meeting called to order by Vice-Chairperson Leupold.

Time for the public hearing on the rezoning application of Lori A. Smith from A-1Agricultural District to HC Highway Commercial for part of Lot 1 in NW1/4 of Section 1 Lakeville Township containing 5.943 acres. Brad Beck and John Wills gave supporting information. Several adjacent property owners and interested residents were present. Also present were Greg Owens, Barry Sackett-OPA, John Wills-SCS and Brad Beck as agent for the Smith family. Beck and Kohlhaase present a new plan for the area that showed only a storage facility with the rest of the farm to stay as a restored with native prairie plantings and restored wetlands. The storage facility would be 15 unites on the north portion of the property. OPAS support the wetlands and prairie restoration as a benefit to West Lake Okoboji and had no opinion on the commercial part of the request. There was considerable discussion pertaining the protecting the wetlands. The Board indicated that they would like an agreement with the property owner with restrictions pertaining to protecting the restored wetland and preventing future commercial uses on the property other that the storage units. It was felt that an agreement could be reached within a week. Therefore, it was moved by Gottsche, seconded by Allen to continue the public hearing for one week until October 1, 2013, at 10:00 A.M. to allow attorneys to prepare an agreement of restrictions to be included with the rezoning application consideration. Roll call vote: Johnson-aye, Allen-aye, Jordan-aye, Leupold-aye, Gottsche-aye.

Gottsche absent. County Engineer present with two items for consideration. It was moved by Allen, seconded by Jordan to place a service waterline under 225th street, directly south of the Okoboji football field. The service line will provide water to the Phillip ad Mary Kay Rolling property in Section 12 of Okoboji Township. Roll call vote: Johnson-aye, Allen-aye, Jordan-aye, Leupold-aye.

Moved by Johnson, seconded by Allen to approve Joint DD #1 repair work of Steve Brueggeman in Section 7 of Silver Lake Township, estimated to be less than \$1000. Roll call vote: Johnson-aye, Jordan-aye, Allen-aye, Leupold-aye.

Moved by Jordan, seconded by Allen to approve the following claims at hand as listed on the claims register dated September 24, 2013. Roll call vote: Johnson-aye, Allen-aye, Jordan-aye, and Leupold-aye.

CLAIMS LISTING 9-24-13

AHLERS & COONEY P.C.	SERVICE	1,000.00
AIRGAS NORTH CENTRAL INC.	WELDING SUPPLIES	45.68
ALLEN, MARDI	EXPENSE	1,431.16
ALLIANT ENERGY	UTILITIES	4,177.07
ANDERSONS INC., THE	FUEL	17,392.95
ARNOLD MOTOR SUPPLY	EXPENSE	339.18
AYRES, MARY LOU	SCHL ELECTION EXP.	91.13
BARBER, CECELIA J.	SCHL ELECTION EXP.	85.50
BARNES DISTRIBUTION	SEC RD MAT	272.19
BECK ENGINEERING INC.	EXPENSE	1,180.00
BIGGS, CAROL	SCHL ELECTION EXP.	90.00
BLACK HILLS ENERGY	EXPENSE	33.34
BLUE LAKE WEBSITES	EXPENSE	67.50
BOMGAARS SUPPLY INC.	EXPENSE	1,095.36
BOOTH, DAVID	REGISTRATION FEE	10.00

BOYER TRUCKS SIOUX FALLS	PARTS	1,894.68
BROADLAWNS MEDICAL CENTER	EXPENSE	5,694.14
BRUSH & WEED CONTRL.SPECIALIST	BRUSH CUTTING	26,823.61
BUY RITE FOODS INC.	SUNDRY	39.38
CCP INDUSTRIES INC	SUNDRY	75.42
CEDAR VALLEY CORP.	L-555 MOORE LAKE	19,675.96
CENTURYLINK	SERVICE	1,183.24
CENTURYLINK	EXPENSE	406.08
CHAMBER, THE	EXPENSE	170.00
CLARITUS INC.	SUPPLIES	160.24
CLAY COUNTY SHERIFF'S DEPT	EXPENSE	82.50
CLEAN SLATE LLC	EXPENSE	500.00
CLUBS, STANLEY	SCHL ELECTION EXP.	112.60
COOPERATIVE ELEVATOR ASSOC.	FUEL	5,135.48
CORNELL ABSTRACT CO	EXPENSE	420.00
CUPERUS, BRIAN	REGISTRATION	10.00
D & K REPAIR	EXPENSE	61.80
DG BY DESIGN	EXPENSE	1,078.50
DIAMOND CONCRETE INC	SERVICE	97,574.01
DICKINSON CO SHERIFF	EXPENSE	77.30
DICKINSON CO TREASURER	EXPENSE	517.77
DICKINSON CO TREASURER	INSURANCE	5,100.00
DICKINSON CO.PUBLIC HEALTH	EXPENSE	17,512.67
DICKINSON COUNTY NEWS	PUBLICATIONS	592.37
DUHN, EVONNE	SCHL ELECTION EXP.	92.26
DYNO OIL CO.INC.	OIL	2,170.95
EHRET, MARTY	GRANULAR	250.00
ENERSON, ARVIN	GRANULAR	324.00
EVERTEK INC.	EXPENSE	49.14
FICK'S ACE HARDWARE	EXPENSE	213.59
FOURWINDS PROPERTIES LLC	EXPENSE	175.00
FRERICHS, ARLENE	SCHL ELECTION EXP.	104.69
GALEN'S PRO-MOW LLC	TANK	119.95
GMS INDUSTRIAL SUPPLIES INC.	PARTS	16.90
GREG'S ELECTRIC	LIGHTING	1,464.00
GROSS, GOLDIE	SERVICE	79.11
HASTINGS GARTIN & BOETTGER LLP	EXPENSE	132.00
HILLYARD/SIOUX FALLS	EXPENSE	361.96
HTC INC	PARTS	71.20
HUMANE SOCIETY OF NW IA.	EXPENSE	200.00
HUSMAN, AMY	SCHL ELECTION EXP.	91.13
HY-VEE INC.	EXPENSE	180.14
IA CO ATTORNEY ASSOC	REGISTRATION	350.00
IA CO RECORDERS ASSOC.	REGISTRATION	20.00
IA LAKES ELECTRIC COOP	EXPENSE	703.42
IA LAKES REGIONAL WATER	EXPENSE	98.55
IACCB	REGISTRATION	990.00
IOWA TRANSIT	SURVEY	2,970.00
ISAC	EXPENSE	150.00
ISCTA	EXPENSE	55.00
JACOBSON WESTERGARD ASSC.INC.	SERVICE	7,915.40
JAHN, DELORES	LAND - GRAVEL	42,868.75

JAYCOX IMPLEMENT INC	EXPENSE	18,225.00
JENNINGS TOW & REPAIR LLC	EXPENSE	254.56
JOHN'S TIRE SERVICE	EXPENSE	211.62
KAPCO INC.	EXPENSE	88.00
KESSLER, MARILYN	SCHL ELECTION EXP.	90.00
LAKE PARK AUTO PARTS	PARTS	462.32
LAKEPARK HOUSING AUTHORITY INC	EXPENSE	5,734.98
LAKES AUTOSPORT & LUBE CENTER	EXPENSE	117.85
LAKES NEWS SHOPPER	PUBLICATIONS	65.00
LAKES REGIONAL HEALTHCARE	RDT	186.00
LAYTON'S BACKHOE SERVICE	SERVICE	600.00
LEWIS FAMILY DRUG L.L.C.	EXPENSE	291.95
LUBY'S LLC	TIRES	89.13
MAC TOOLS	TOOLS	879.98
MAIL SERVICES LLC	EXPENSE	201.74
MARC	SEC RD SUPPLIES	411.34
MARCO INC.	EXPENSE	1,473.23
MATHISON'S	SUPPLIES	290.00
MC CARTAN, COREY	REGISTRATION	10.00
MEDIACOM	EXPENSE	900.00
MENARDS	EXPENSE	457.29
MILFORD DINNER DATE	EXPENSE	600.00
MILLER, ANN	EXPENSE	18.65
MORITZ, DARLENE	SCHL ELECTION EXP.	87.76
MOTOR INN OF SPIRIT LAKE INC.	OUTSIDE SERVICE	179.71
MUESKE ELECTRIC INC.	EXPENSE	55.00
NORTHWEST EQUIPMENT INC.	EXPENSE	145.21
NOTEBOOM, KARLEEN	SCHL ELECTION EXP.	85.50
OFFICE SYSTEMS CO.	EXPENSE	106.67
OH SHUCK'S INC.	EXPENSE	69.44
O'KEEFE ELEVATOR CO.INC.	EXPENSE	204.00
OKOBOJI MOTOR CO.	EXPENSE	1,172.72
OSCEOLA CO RURAL WATER SYS.INC	EXPENSE	94.00
PERKINS TRANSPORT	EXPENSE	400.00
PETITTI, ALEX	REGISTRATION	10.00
PITNEY BOWES	EXPENSE	288.57
PIXLER ELECTRIC	PARTS	326.00
PRESS INC, THE	EXPENSE	152.48
PRIDE GROUP INC., THE	EXPENSE	13,071.18
REEKERS CLEANING SERVICE LLC	EXPENSE	1,029.00
REIMAN, NANCY	EXPENSE	150.86
REINKE, DEBRA K.	GRANULAR	500.00
RICKE, BARBARA	SCHL ELECTION EXP.	42.76
ROWLEY, KRIS	EXPENSE	232.78
RUML, MARJORIE	SCHL ELECTION EXP.	90.00
SHARE CORP	SEC RD SUPPLIES	467.78
SHAW 'S OF OKOBOJI	EXPENSE	95.40
SILL, DENNIS	EXPENSE	219.27
SIX POINTE INC.	EXPENSE	9,764.97
SMITH MOBILE HOMES & RVS	EXPENSE	175.00
SPENCER OFFICE SUPPLIES	EXPENSE	48.45
SPIRIT LAKE MED. CENTER	EXPENSE	290.00

SPIRIT LAKE, CITY OF	EXPENSE	89.76
STATE HYGIENIC LABORATORY	EXPENSE	108.00
STEPHANIE J. EARLY	TRANSCRIPT	26.00
STOREY KENWORTHY	EXPENSE	594.78
SUNSHINE SERVICES INC	EXPENSE	1,024.56
TAYLOR, TANNER	EXPENSE	75.00
TD TOOLS	TOOLS	155.00
TERRIL TELEPHONE COOPERATIVE	EXPENSE	240.01
TOMS PLUMBING & HEATING	EXPENSE	197.43
TOWN & COUNTRY	EXPENSE	692.52
TRANE	EXPENSE	2,077.15
TREAS.STATE OF IOWA	EXPENSE	2,994.00
TRI-STATE LITHO LTD	EXPENSE	192.00
TRUE VALUE-MILFORD	EXPENSE	150.54
TYLER TECHNOLOGIES INC.	EXPENSE	937.50
UNITED COMMUNITY BANK	EXPENSE	620.30
UNITED RENTALS(N.AMERICA) INC.	OUTSIDE SERVICE	399.89
UNITY POINT CLINIC-OCCUP.MED.	RDT	148.00
US ARMOR	EXPENSE	793.15
US BANK	EXPENSE	921.41
US CELLULAR	EXPENSE	367.93
US POSTMASTER	EXPENSE	46.00
VERIZON WIRELESS	EXPENSE	268.88
WALTERS, JOHN	EXPENSE	9.99
WASTE MGT.OF WI-MN	EXPENSE	203.11
WEDEKING PIT & PLANT INC.	GRANULAR	3,489.84
WEST PAYMENT CENTER	EXPENSE	1,267.30
WEX BANK	EXPENSE	362.69
WHEATLEY PLG.& HTG.	EXPENSE	130.40
WILSON, JANICE	SCHL ELECTION EXP.	105.82
ZIEGLER INC.	PARTS	383.54
	GRAND TOTAL	354,711.60
FUND TOTALS RECAP		
0001 GENERAL BASIC FUND		85,290.42
0008 DICK.CO.CONS BD CAPITAL FUND		1,078.50
0010 MH-DD SERVICES FUND		14,555.74
0011 RURAL BASIC FUND		609.01
0014 WASTE REDUCTION FUND		1,364.23
0020 SECONDARY ROAD FUND		125,242.73
0021 DICKINSON CO TRAILS DEVELOPMENT		108,240.93
0024 RECORDERS RECORDS MANAGEMENT		937.50
0025 TRAILS MAINT.		420.41
0037 WEST BAY ESTATES UR		9,764.97
0051 WEST BAY ESTATES LMI		5,734.98
0412 DD6		459.30
4000 EMERGENCY MANAGEMENT		715.06
4010 E-911 SURCHARGES		297.82
GRAND TOTAL		354,711.60

Moved by Allen, seconded by Johnson to approve the contribution of \$3,659 to the Landfill Commission for a feasibility study for a countywide recycling facility contingent on the other cities in the county also

contributing and enough funds being received with the \$1 per household request. Roll call vote: Johnson-aye, Allen-aye, Jordan-aye, Leupold-aye.

Board members gave committee reports on meetings of the past week.

11:00 A.M. Gottschalk present via speakerphone. The Board of Supervisors of Dickinson County, Iowa, met on September 24, 2014 in the Dickinson County Courthouse, 1802 Hill Avenue, Spirit Lake, Iowa, at 9:30 a.m., in open regular session, pursuant to law and the rules of said Board of Supervisors. The meeting was called to order by the Vice-Chairperson, William Leupold, presiding and on roll call the following names Board Members were present: Paul Johnson, Mardi Allen, Pamela Jordan, and David Gottsche-telephonically. None absent.

Matters were discussed relative to the request from Spirit Lake-GEAC, LLC, an Iowa limited liability company regarding the issuance of not to exceed \$5,000,000 in aggregate principal amount of the County's Senior Housing Revenue Notes (Keelson Harbour-Vista Prairie Communities Project). It was moved by Gottsche and seconded by Jordan that the following resolution be adopted. The roll was called and the vote was,

AYES: Johnson, Allen, Jordan, Leupold, Gottsche

NAYS: None

Whereupon the Chairperson declared the following resolution duly adopted.

A RESOLUTION REGARDING THE ISSUANCE OF NOT TO EXCEED \$5,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF SENIOR HOUSING REVENUE NOTES (KEELSON HARBOUR-VISTA PRAIRIE COMMUNITIES PROJECT) OF DICKINSON COUNTY, IOWA, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE, CALLING A PUBLIC HEARING ON THE PROPOSAL TO ISSUE SAID NOTES, AND DECLARING AN OFFICIAL INTENT TO REIMBURSE

WHEREAS, Dickinson County, Iowa (the "Issuer") is a political subdivision organized and existing under the Constitution and laws of the State of Iowa, and is authorized and empowered by Chapter 419 of the Code of Iowa (the "Act"), to issue its bonds or notes and loan the proceeds from the sale of said bonds or notes to one or more parties to be used to defray all or a portion of the cost of acquiring, constructing, improving and equipping a "project", as that term is defined in the Act, including a facility for an organization described in Section (501)(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization"); and

WHEREAS, the Issuer has been requested by Spirit Lake-GEAC, LLC, an Iowa limited liability company (the "Borrower") and a Tax Exempt Organization, to authorize and issue its revenue bonds or notes pursuant to the provisions of the Act for the purpose of financing the costs of constructing, equipping and furnishing an addition to an existing senior housing facility located within the Issuer at 2810 Aurora Avenue West, Spirit Lake, Iowa, such improvements to consist of the construction of approximately 27 new assisted living units, expansion of the existing main dining area, installation of a new patio area, and other improvements (the "Project") and paying costs of issuance and related costs; and

WHEREAS the Issuer has been advised that the amount necessary to finance costs of the Project and related costs will require the issuance of notes in an aggregate principal amount not to exceed \$5,000,000 (the "Notes") pursuant to the provisions of the Act, and it is proposed that the Issuer loan said amount to the Borrower under a Loan Agreement between the Issuer and Borrower pursuant to which loan payments will be made by the Borrower in amounts sufficient to pay the principal of, premium, if any, and interest on said Notes, as and when the same shall be due; and

WHEREAS, the Notes, if issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers,

and the principal of, interest and premium, if any, on the Notes shall be payable solely out of the revenues derived from the Loan Agreement; and

WHEREAS, the Borrower wishes to proceed with the Project and reasonably expects to pay costs of the Project prior to the issuance of the Notes and wishes to reimburse original expenditures paid from its own funds with proceeds of the Notes, and in order to comply with Treasury Regulation 1.150-2, it is necessary for the Issuer to declare an official intent to reimburse original expenditures paid by the Borrower with proceeds of the Notes; and

WHEREAS, before the Notes may be issued, it is necessary to conduct a public hearing on the proposal to issue the Notes, all as required and provided by Section 419.9 of the Act and Section 147(f) of the Code.

NOW, THEREFORE, Be It Hereby Resolved by the Board of Supervisors of the Issuer as follows:

Section 1. A public hearing shall be conducted on October 22, 2013, at 9:30 a.m., before this Board of Supervisors in the Dickinson County Courthouse, 1802 Hill Avenue, Spirit Lake, Iowa, on the proposal to issue not to exceed \$5,000,000 aggregate principal amount of the Issuer's revenue notes pursuant to the provisions of the Act, for the purpose of financing the costs of the Project and related costs, and all local residents who appear at said hearing shall be given an opportunity to express their views for or against the proposal to issue such Notes; and at said hearing, or any adjournment thereof, this Board shall adopt a Resolution determining whether or not to proceed with the issuance of said Notes.

Section 2. The County Auditor of the Issuer is hereby directed to publish one time, not less than 15 days prior to the date fixed for said hearing, in a legal newspaper published and having a general circulation within the Issuer, a Notice of Intention to issue said Notes in substantially the following form:

NOTICE OF PUBLIC HEARING ON INTENTION TO ISSUE
SENIOR HOUSING REVENUE NOTES

Notice is hereby given that a public hearing will be conducted before the Board of Supervisors of Dickinson County, Iowa (the "Issuer"), in the Dickinson County Courthouse, 1802 Hill Avenue, Spirit Lake, Iowa, at 9:30 a.m. on October 22, 2013, on the proposal to issue not to exceed \$5,000,000 aggregate principal amount of the Issuer's revenue notes (the "Notes"), pursuant to the provisions of Chapter 419 of the Code of Iowa, for the purpose of loaning the proceeds thereof to the Borrower, to finance the costs constructing, equipping and furnishing an addition to an existing senior housing facility located within the Issuer at 2810 Aurora Avenue West, Spirit Lake, Iowa, such improvements to consist of the construction of approximately 27 new assisted living units, expansion of the existing main dining area, installation of a new patio area, and other improvements (the "Project") and paying costs of issuance and related costs. It is contemplated that a Loan Agreement will be entered into between the Issuer and the Borrower, under which the Issuer would loan to the Borrower the proceeds from the sale of the Notes in return for loan payments from the Borrower sufficient to pay the principal of, and interest and premium, if any, on such Notes as the same shall become due.

Such Notes, if issued, and the interest thereon, will be payable solely out of the revenues derived from the Loan Agreement and shall never constitute an indebtedness of the Issuer within the meaning of any state constitutional provision or statutory limitation, and will not constitute or give rise to a pecuniary liability of the Issuer or a charge against its general credit or its taxing powers.

All local residents who appear at the hearing shall be given an opportunity to express their views for or against the proposal to issue the Notes, and at the hearing, or any adjournment thereof, the Board of Supervisors of the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Notes.

By Order of the Board of Supervisors.
Nancy Reiman
County Auditor

Section 3. Based upon representations of the Borrower, it is reasonably expected that original expenditures for Project costs will be paid from the Borrower's own funds prior to the issuance of the Notes and the Issuer hereby declares an official intent in accordance with Treasury Regulation 1.150-2 to reimburse such original expenditures with proceeds of the Notes.

Section 4. Officials of the Issuer are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of this Resolution.

Section 5. All Resolutions and Orders or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this Resolution shall be in full force and effect immediately upon its adoption.

PASSED AND APPROVED this 24th day of September, 2013

William Leupold, Vice-Chairperson

ATTEST:

Nancy Reiman
County Auditor

There being no further items presented before the Board, it was moved by Jordan, seconded by Allen to adjourn. Roll call vote: Johnson-aye, Allen-aye, Jordan-aye, Leupold-aye, Gottsche-aye.

_____ David Gottsche, Chairperson

_____ Nancy Reiman, Auditor

